

Treon, Aguirre & Newman
A Professional Association of Lawyers

RICHARD T. TREON
JOHN AGUIRRE
ARTHUR G. NEWMAN, JR.
CINDY HANSEL STRICKLAND
SHARON G. SLIFKO
THOMAS M. RYAN
MATTHEW P. MILLEA

2700 NORTH CENTRAL AVENUE
SUITE 1400
PHOENIX, ARIZONA 85004-1133

TELEPHONE 602 / 285-4400
FAX 602 / 285-4483

OF COUNSEL
GERALD J. STRICK
BRETT L. SLAVICEK

May 22, 2006

Direct Line
602 / 285-4409
E-mail
agn@treonfirm.com

Honorable Clerk of the Arizona Supreme Court
1501 West Washington
Suite 402
Phoenix, AZ 85007

Re: Rule Comment re Electronic Recording or Court Reporter

Dear Honorable Clerk of the Arizona Supreme Court:

With respect to the Rule 28 petition and proposed changes thereto, I would respectfully request that the requirement that a Court Reporter be present in all civil evidentiary proceedings be included in the proposed changes.

I am a civil litigator, specializing in plaintiffs' personal injury work. It is crucial to me to have a court reporter transcribe portions of the trials in which I participate during the trial. For example, when I am trying a case in a new "E-Courtroom" (which I am doing now), I always order a court reporter so that I have the ability to have a written transcript of the proceedings.

It is critical for the trial attorney to have access to a court reporter and the written transcript. This allows questioning of witnesses, both during examination and cross-examination, based upon the written transcript that can be shown to the jury. The transcript can thus be used during closing arguments.

For these reasons, I would respectfully request that the Rule include the requirement that a court reporter be present at all civil evidentiary proceedings. Loss of access to these court reporters (who are always willing to work long hours to accommodate trial lawyers to produce the needed transcripts on a "stat" basis) would deal a severe blow to litigants, their lawyers and the courts (not to mention raising the spectre of due process violations).

Should you have any questions, or should you like to discuss anything about my comments, please do not hesitate to call me.

Sincerely,

TREON, AGUIRRE & NEWMAN, P.A.

Richard T. Treon

RTT:drh